

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 10, 2003. At the time of the Office Action, Claims 1-11 were pending in this Application. Claims 1-11 were rejected. Claims 1 and 7 have been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §102

Claims 1, 5, 7, and 11 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,493,703 issued to Timothy O. Knight et al. ("Knight et al.").

Applicants respectfully traverse and submit that Claims 1 and 7 have been amended to recite that the system searches text sources to identify documents that contain information about prospective customers of a product/service provider. As described extensively in the detailed description, these text sources are "participant-based" in the sense that the content of the text sources is generated by participants, such as mailing lists, newsgroups, and discussion forums. The system performs these searches in response to a query seeking participants that match query criteria, and provides a response to the query in the form of identification of each participant and a link to the document containing the participant's content.

It is clear from Claim 1 that the user of the system (who formulates queries and receives query responses) is different from the participants of the text sources. The user of the system is a product/service provider, whose queries seek information about these participants.

Knight teaches the extraction of data from sources outside a particular message board. The extracted data is stored, for access by users of the message board. These same users may then query the stored data.

In Knight, queries are not made by others, who are seeking information about the participants in the message board. Knight does not teach or suggest that persons who are not participants may query the text sources for information about the participants.

For the foregoing reasons, Claims 1 and 7 are not anticipated by, nor are they obvious from, the teaching of Knight. These claims are allowable, as are Claims 5 and 11, which are dependent on Claims 1 and 7, respectively.

Rejections under 35 U.S.C. §103

Claims 2, 3, 8, and 9 were rejected under 35 U.S.C. §103(a) as being unpatenable over Knight et al. as applied to Claims 1, 5, 7, and 11 above, and further in view of U.S. Patent 4,914,586 issued to Daniel C. Swinehart et al. ("Swinehart et al.").

Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as being unpatenable over Knight et al. as applied to Claims 1, 5, 7, and 11 above, and further in view of U.S. Patent 6,199,081 issued to Dmitriy Meyerzon et al. ("Meyerzon et al.").

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatenable over Knight et al. as applied to Claims 1, 5, 7, and 11 above, and further in view of U.S. Patent 6,034,970 issued to Ronald A. Levac et al. ("Levac et al.").

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Claims 2 - 4, 6, and 8 - 10 are dependent on Claims 1 and 7, and are allowable for the same reasons as Claims 1 and 7.

New Claims 12 - 17

Support for new Claims 12 - 15 is on page 8, lines 1 - 23. Support for Claim 16 is on page 10, lines 17 - 30. Support for Claim 17 is on page 26, lines 3 - 6.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of Claims 1-11 as amended, and allowance of Claims 1 - 17.

Applicants believe there are no fees due, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2634.

Respectfully submitted,

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